

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23785 of 2003

Between:

K. Bhaskara Reddy, S/o. K. Venkata Reddy, R/o. Chittoor Town, Chittoor District.

... PETITIONER

AND

1 Sri Venkateswara Cooperative Sugar Factory Limited, Gajulamandyam Post,

Renigunta Mandal, Chittoor District, Rep. by its Managing Director.

2 Commissioner and Director of Sugar, Govt. of A.P., Shakkar Bhavan,
Opp : Police Control Room, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions declaring the action of the 1st Respondent in not paying the Gratuity amount due to the petitioner in pursuance to the Proceedings dated 13-12-2002 as arbitrary, unreasonable and to issue a consequential direction to the Respondents to make the payment of gratuity to the Petitioner with interest forthwith

Counsel for the Petitioner: MR.V.SRINIVAS

Counsel for the Respondent No.1: MR.T.BALAJI

Counsel for the Respondent No.2: GP FOR INDUSTRIES

The Court made the following order:

ORDER:

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Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with a liberty to approach the Controlling Authority under Section 8 of the Payment of Gratuity Act, 1972. Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn with a liberty to the petitioner to approach the competent authority for appropriate relief for payment of the differential gratuity.

(V. ESWARAIAH, J)

September 2, 2004

Dsk

To

- 1 Commissioner and Director of Sugar, Govt. of A.P., Shakkar Bhavan,
Opp : Police Control Room, Hyderabad.
- 2 Two CCs to GP For Industries, High Court Buildings, Hyderabad (OUT).
- 3 Two CD copies.